

ORIGINAL

SECURITIES AND EXCHANGE §
COMMISSION, §
Applicant, § CIVIL ACTION NO. 4:17-MC-018-A
v. §
AMERATEX ENERGY, INC., ET AL., §
Respondents. §

**RESPONDENTS' RESPONSE TO THE SEC'S APPLICATION FOR AN ORDER
COMPELLING COMPLIANCE WITH ADMINISTRATIVE SUBPOENAS**

TO THE HONORABLE JUDGE OF SAID COURT:

Respondents file this Response in Opposition to the SEC's Application for an Order Compelling Compliance with Administrative Subpoenas (referred herein as the " Administrative Subpoenas") and would show the Court as follows:

I. SUMMARY OF RESPONSE

Tellingly, the Applicant is relying on misrepresentations and the belief that the court will turn a blind eye to the Applicant's failure to tell the Court the entire story. Admittedly, it's taken the Respondents longer than expected to produce documents responsive to the Administrative Subpoenas, primarily due to the large number of documents requested, but it most certainly has not been due to the Respondents' refusal to fully cooperate. The Respondents have kept the Applicant fully aware of some of the challenges they faced in complying with the Administrative Subpoenas, including having to retrieve deleted emails from their network provider. The delays most certainly have not be intentional as the Applicant would lead the Court to believe. Despite the challenges faced by the Respondents with having to secure the numerous documents requested by the Applicant, Respondents have produced the following documents pursuant to the Administrative Subpoenas via Applicant's OIT System:

1. November 17, 2016 (See Exhibit 1)
2. November 17, 2016 (See Exhibit 2)
3. November 21, 2016 (See Exhibit 3)
4. November 29, 2016 (See Exhibit 4)
5. December 15, 2016 (See Exhibit 5)
6. January 11, 2017 (See Exhibit 6)
7. January 11, 2017 (See Exhibit 7)
8. January 11, 2017 (See Exhibit 8)
9. January 11, 2017 (See Exhibit 9)
10. January 11, 2017 (See Exhibit 10)
11. January 11, 2017 (See Exhibit 11)
12. January 11, 2017 (See Exhibit 12)
13. January 11, 2017 (See Exhibit 13)
14. January 11, 2017 (See Exhibit 14)
15. May 4, 2017 (See Exhibit 15)
16. June 8, 2017 (See Exhibit 16)

Additionally, the Respondents are producing to the Applicant on this date the remaining non-privileged documents in their possession, custody and/or control and have executed the attached Certification as to the completeness of the document production.¹ Even after receiving hundreds of documents from the Respondents, the Applicant continues to maintain that there are documents that the Respondents are failing to produce and appear to be on a fishing expedition. The Respondents have asked that the Applicant disclose this missing information but they have refused to do so.

Respondents have responded to the Administrative Subpoenas in good faith and in the event any additional documents are later discovered, will supplement their production accordingly. The Respondents attempted to resolve this dispute without the need to involve the Court and will continue to fully cooperate with the Applicant to get this matter fully resolved. Respondents have worked diligently and in good faith to resolve any and all discovery disputes, despite being short staffed and have made it

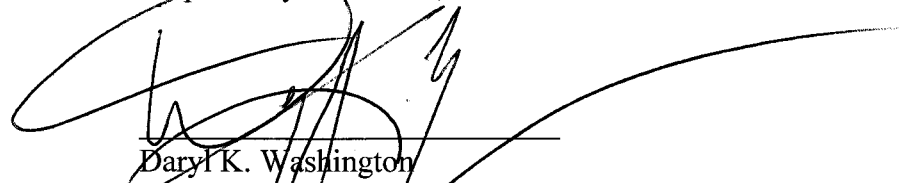
¹ See Exhibits 17, 18 and 19.

known to the Applicant that they would fully cooperate. Notably, the Applicant did not represent to the Court that the Respondents announced their intention not to fully cooperate because that most certainly is not the case. As such, Applicant's Application for an Order Compelling Compliance with Administrative Subpoenas should be denied as moot.

CONCLUSION AND PRAYER

For all of these reasons, Respondents respectfully request this Court to deny Applicant's Application for an Order Compelling Compliance with Administrative Subpoenas as moot.

Respectfully Submitted,

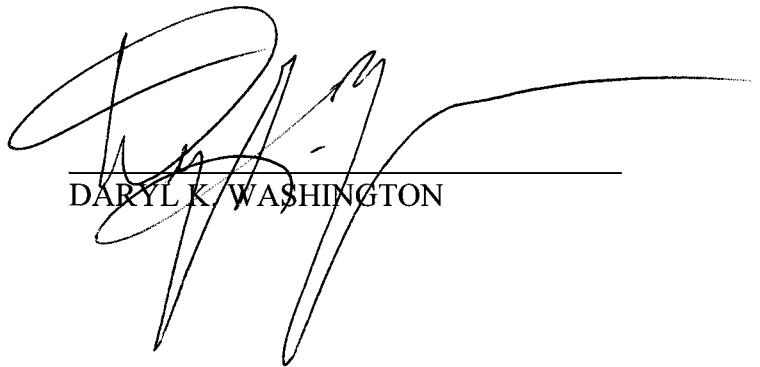
A large, stylized handwritten signature in black ink, appearing to read 'Daryl K. Washington', is written over a horizontal line.

Daryl K. Washington
Texas Bar No. 24013714
325 North St. Paul Street, Suite 3950
Dallas, Texas 75201
(214) 880-4883 (phone)
(214) 751-6685 (facsimile)
dWASHINGTON@dwashlawfirm.com

ATTORNEY FOR RESPONDENTS

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2017, the foregoing pleading was filed with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to all attorneys of record who have consented in writing to accept this Notice as service of documents by electronic means.



A handwritten signature in black ink, appearing to read 'Daryl K. Washington', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

DARYL K. WASHINGTON

EXHIBIT 1

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Thursday, November 17, 2016 7:56 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Document Production 11.17.16.zip

Secured by Accellion

EXHIBIT 2

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Thursday, November 17, 2016 8:10 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

J. Aaron Investor list Nov 17.zip

Secured by Accellion

EXHIBIT 3

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Monday, November 21, 2016 6:18 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Document Production 11.21.16.zip

Secured by Accellion

EXHIBIT 4

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Tuesday, November 29, 2016 8:19 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

stratatech info 11.29.16.zip

Secured by Accellion

EXHIBIT 5

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Thursday, December 15, 2016 3:22 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Employee Information 121316.xlsx
StrataTech Bank Info 121316.zip

Secured by Accellion

EXHIBIT 6

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:34 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Parish Sands Chase Statement (November 2016).pdf
Parish Sands Chase Statement (October 2016).pdf
Parish Sands Chase Statement (September 2016).pdf
Parish Sands Chase Statement (August 2016).pdf
Parish Sands Chase Statement (July 2016).pdf
Parish Sands Chase Statement (June 2016).pdf
Parish Sands Chase Statement (May 2016).pdf
Parish Sands Chase Statement (April 2016).pdf
Parish Sands Chase Statement (March 2016).pdf
Parish Sands Chase Statement (March 2016).19.16 - 2.29.16).pdf
Parish Sands Chase Statement (2.19.16 - 2.29.16).pdf

Secured by Accellion

EXHIBIT 7

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:27 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Parrish Sands PL stmt 1.11.17.xlsx

Secured by Accellion

EXHIBIT 8

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:21 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

StrataTech Info.zip

Secured by Accellion

EXHIBIT 9

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:19 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Parrish Sands Items 17,18 Jan 09, 2017.zip

Secured by Accellion

EXHIBIT 10

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:17 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Armstrong Farmout Executed.pdf

Secured by Accellion

EXHIBIT 11

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:13 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Letter Agreement SWO ISM Ameratex - Monroe 2013-1112.pdf

Secured by Accellion

EXHIBIT 12

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:12 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

Items 17,18,19 Smythe Jan 11 2017.zip

Secured by Accellion

EXHIBIT 13

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:09 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

WELLS DRILLED IN AMTX LEWIS OFFERINGS.xlsx

Secured by Accellion

EXHIBIT 14

dwashington@dwashlawfirm.com

From: OIT_AccellionSupport@sec.gov
Sent: Wednesday, January 11, 2017 6:04 PM
Subject: Secure Workspace: AmeraTex Energy FW-04141 has new files

dwashington@dwashlawfirm.com has added new files to Secure Workspace: AmeraTex Energy FW-04141

SWO, HGT farmouts and docs for Ken.zip
Cumberland Item 19 Jan 11 2017.zip
J Aaron Item 17 Jan 09 2017.zip
Employees Items 7,8,9,10 Jan 09, 2017.zip
All Farm outs and monies paid to SWOISM for projects (1.11.17).zip
SWOISMLETTER81314.pdf%20Jan%2011%202017

Secured by Accellion

EXHIBIT 15

dwashington@dwashlawfirm.com

From: dwashington@dwashlawfirm.com
Sent: Thursday, May 04, 2017 2:52 PM
To: 'Mallett, Sarah'
Subject: Re: Update
Attachments: Farmouts funds paid to SWO&ISM.xlsx

Sarah, I'm sending you the attached document in the event I'm unable to upload it to the OIT System. Thanks.

Daryl K. Washington
Washington Law Firm, P.C.
325 N. St. Paul, Suite 3950
Dallas, Texas 75201
214-880-4883 - direct dial
214-751-6685 - direct fax
dwashington@dwashlawfirm.com
www.dwashlawfirm.com

WASHINGTON LAW FIRM, P.C. E-MAIL NOTICES: This transmission may be: (1) subject to the Attorney-Client Privilege, an (2) attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete this message. Unauthorized interception of this e-mail is a violation of federal criminal law.

Unless it specifically so states, this communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Unless it specifically so states, nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions.

From: dwashington@dwashlawfirm.com
Sent: Thursday, May 4, 2017 2:16:30 PM
To: 'Mallett, Sarah'
Subject: Update

Sarah,

Attached is a status update on the final production.

Daryl K. Washington
Washington Law Firm, P.C.
325 N. St. Paul, Suite 3950
Dallas, Texas 75201
214-880-4883 - direct dial
214-751-6685 - direct fax
dwashington@dwashlawfirm.com

www.dwashlawfirm.com

WASHINGTON LAW FIRM, P.C. E-MAIL NOTICES: This transmission may be: (1) subject to the Attorney-Client Privilege, an (2) attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete this message. Unauthorized interception of this e-mail is a violation of federal criminal law.

Unless it specifically so states, this communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Unless it specifically so states, nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions.

EXHIBIT 16

dwashington@dwashlawfirm.com

From: dwashington@dwashlawfirm.com
Sent: Thursday, June 08, 2017 9:38 PM
To: 'Mallett, Sarah'
Cc: 'Gulde, Matthew'; 'Etri, James E.'
Subject: RE: follow-up
Attachments: Item 1 LOI.pdf; item 3 a-f.pdf; ITEMS 7,8,9,10 LOI (6.8.17).pdf; LEWIS OIL INC UPDATE first on 10715.pdf; LEWIS OIL, INC. SH Meeting revised 2015-0113.pdf; LEWIS OIL, INC. UPDATE 2015-0108.pdf; LEWIS OIL, INC. UPDATE 060415.pdf; Lewis oil Inc Future Outlook 2015-0607.pdf

Sarah, attached are additional items responsive to the Subpoena. I've been advised that the only outstanding items are the emails. Once Mr. Lewis confirms I will have him execute the certification.

Daryl K. Washington
Washington Law Firm, P.C.
325 N. St. Paul, Suite 3950
Dallas, Texas 75201
214-880-4883 - direct dial
214-751-6685 - direct fax
214-403-5464 - cell
dwashington@dwashlawfirm.com
www.dwashlawfirm.com

WASHINGTON LAW FIRM, P.C. E-MAIL NOTICES: This transmission may be: (1) subject to the Attorney-Client Privilege, an (2) attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete this message. Unauthorized interception of this e-mail is a violation of federal criminal law.

Unless it specifically so states, this communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Unless it specifically so states, nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions.

IRS Circular 230 Notice Requirement: This communication is not given in the form of a covered opinion, within the meaning of Circular 230 issued by the United States Secretary of the Treasury. Thus, we are required to inform you that you cannot rely upon any tax advice contained in this communication for the purpose of avoiding United States federal tax penalties. In addition, any tax advice contained in this communication may not be used to promote, market or recommend a transaction to another party.

From: Mallett, Sarah [<mailto:malletts@SEC.GOV>]
Sent: Thursday, June 08, 2017 5:00 PM
To: dwashington@dwashlawfirm.com

EXHIBIT 17

**CERTIFICATION AS TO COMPLETENESS
OF DOCUMENT PRODUCTION**

Thomas A. Lewis, the President of AmeraTex Energy, Inc. (the "Recipient"), hereby certifies as follows:

1. The Recipient hereby acknowledges the Commission has relied upon the completeness of, among other things, the Recipient's production of documents in response to all Commission subpoenas, document requests, and requests for voluntary production of documents to the Recipient in connection with this matter ("Commission's Document Demands").

2. I have made diligent inquiry of and requested production from all of the Recipient's officers, directors, employees, and agents reasonably likely to have possession of documents responsive to the Commission's Document Demands. In addition, a diligent search has been made of all other files in Recipient's possession, custody, or control that are reasonably likely to contain responsive documents, including but not limited to general file areas, off-site document files, e-mail and archive files, and all other original and back-up electronic and computer files and systems.

3. To the best of my knowledge, all responsive documents in the possession, custody, or control of the Recipient and its officers, directors, employees, and agents have been produced to the Commission or identified in a privilege log submitted to the Commission. The Recipient has a good faith basis to believe that a bona fide privilege, recognized under applicable law, applies to each responsive document identified on a privilege log and not produced to the Commission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **June 27, 2017**



Thomas A. Lewis
President
555 Republic Drive Suite 350
Plano, TX. 75074
972-521-6131

EXHIBIT 18

**CERTIFICATION AS TO COMPLETENESS
OF DOCUMENT PRODUCTION**

Thomas A. Lewis hereby certifies as follows:

1. I hereby acknowledge that the Commission has relied upon the completeness of, among other things, my production of documents in response to all Commission subpoenas, document requests, and requests for voluntary production of documents to me in connection with this matter, subject to any modifications agreed to in writing by Commission staff ("the Commission's Document Demands").

2. I have made a diligent search of all files in my possession, custody, or control that are reasonably likely to contain documents responsive to the Commission's Document Demands, including but not limited to general file areas, off-site document files, e-mail and archive files, and all other original and back-up electronic and computer files and systems.

3. To the best of my knowledge, all responsive documents in my possession, custody, or control have been produced to the Commission or identified in a privilege log submitted to the Commission. I have a good faith basis to believe that a bona fide privilege, recognized under applicable law, applies to each responsive document identified on a privilege log and not produced to the Commission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **June 27, 2017**.



Thomas A. Lewis
892 Union Station Pkwy. #8219
Lewisville, TX. 75057
214-458-1981 972-521-6131

EXHIBIT 19

**CERTIFICATION AS TO COMPLETENESS
OF DOCUMENT PRODUCTION**

Thomas A. Lewis, the President of Lewis Oil (the "Recipient"), hereby certifies as follows:

1. The Recipient hereby acknowledges the Commission has relied upon the completeness of, among other things, the Recipient's production of documents in response to all Commission subpoenas, document requests, and requests for voluntary production of documents to the Recipient in connection with this matter ("Commission's Document Demands").

2. I have made diligent inquiry of and requested production from all of the Recipient's officers, directors, employees, and agents reasonably likely to have possession of documents responsive to the Commission's Document Demands. In addition, a diligent search has been made of all other files in Recipient's possession, custody, or control that are reasonably likely to contain responsive documents, including but not limited to general file areas, off-site document files, e-mail and archive files, and all other original and back-up electronic and computer files and systems.

3. To the best of my knowledge, all responsive documents in the possession, custody, or control of the Recipient and its officers, directors, employees, and agents have been produced to the Commission or identified in a privilege log submitted to the Commission. The Recipient has a good faith basis to believe that a bona fide privilege, recognized under applicable law, applies to each responsive document identified on a privilege log and not produced to the Commission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **June 27, 2017**



Thomas A. Lewis
President
555 Republic Drive Suite 350
Plano, TX. 75074
972-521-6131



RECEIVED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF TX
FORT WORTH DIVISION

2017 JUN 27 PM 4:14

CLERK OF COURT

June 27, 2017

VIA COURIER

Karen Mitchell, Clerk of Court
U.S. District Court
Northern District of Texas
501 West 10th Street, Room 310
Fort Worth, Texas 76102-3637

Re: Re: Civil Action No. 4:17-MC-018-A; *Securities and Exchange Commission v. Ameratex Energy, Inc., et al.*; in the U.S. District Court for the Northern District of Texas, Fort Worth Division.

Dear Ms. Mitchell:

Please find enclosed for filing in the above-referenced matter the original and one (1) copy of Respondents' Response in Opposition to the SEC's Application for an Order Compelling Compliance with Administrative Subpoenas in the above referenced matter. Please forward a courtesy copy to Judge McBryde.

Thank you for your courteous attention to this matter. Please call should you have any questions regarding this filing.

Sincerely,


Daryl K. Washington

yw:dkw

Enclosure

(214) 880-4883 Main
(214) 751-6685 Fax